

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 29

July 23, 2003

**SUBJECT: DATA COLLECTION FOR MOTOR VEHICLE AND PEDESTRIAN
STOPS - REVISED**

EFFECTIVE: July 1, 2003

PURPOSE: The Field Data Report (FDR), Form 15.43.01, has been in use since November 2001 to collect data on vehicle and pedestrian stops. Since the introduction of the FDR, numerous concerns regarding the proper completion of the form and the quality of data collected have been identified. Special Order No. 25, dated September 2002, revised procedures for supervisory approval and the voiding of erroneous FDRs; however, this did little to reduce the rate of errors and confusion regarding the proper completion of the form.

This Order revises the FDR, Form 15.43.01, the supervisory approval process and establishes the FDR Coordinator at each geographical Area and specialized division.

PROCEDURE:

I. FIELD DATA REPORT, FORM 15.43.01 - REVISED. The Field Data Report, Form 15.43.01, has been revised to include the following:

- * Detailed completion instructions;
- * More clearly defined data entry fields; and,
- * An approval line for the reviewing supervisor.

A. Use of Form. This form is used by officers to record information on motor vehicle and pedestrian stops.

B. Distribution.

- 1 - Original, batched and forwarded to Information Technology Division (ITD) for processing.
- 1 - Copy, retained in the FDR Book. (Completed FDR Books shall be maintained at the command of issuance in a location determined by the commanding officer.)

2 - Total

C. Completion Criteria. An FDR shall be completed for each person under the following circumstances:

1. **Motor Vehicle Stops.** The driver of each motor vehicle stopped, as well as any passenger who is detained except for those circumstances listed under "Exemptions."

Note: The term "motor vehicle stop" means any instance where an officer directs a person operating a motor vehicle of any type to stop and the driver is detained for any length of time.

2. **Pedestrian Stops.** All pedestrian stops except for those circumstances listed under "Exemptions."

Note: The term "Pedestrian Stop" means any instance where an officer performs a stop (i.e., a temporary detention where a person is not free to leave) of a person who is not in a motor vehicle.

3. **Exemptions.** An FDR is not required under the following circumstances:

Vehicle Stops

- * Checkpoints and/or roadblocks;
- * Commercial vehicle inspections;
- * Prostitution or narcotics task force;
- * Arrest warrant or search warrant where the person being stopped is reasonably believed to be the person named on the warrant;
- * Safe driving award stops; and,
- * Child safety seat giveaways.

Pedestrian Stops

- * Victims and/or Witnesses;
- * Unlawful assembly declared by a Department supervisor and incidental stops related to crowd control;
- * Consensual stop, except when such stops are followed by a pat-down/frisk, search or seizure, completion of a Field Interview Report (FI), Form 15.43, or citation and/or arrest;
- * Prostitution or narcotics task force;

- * Arrest warrant or search warrant where the person being stopped is reasonably believed to be the person named on the warrant; and,
- * Calls for service relating to a homicide, rape, robbery, assault, domestic violence, shots fired, suspect with a gun or knife, kidnapping, bomb threat, child in danger of physical harm caused by another person, officer needs help or assistance, or battery. All other calls for service require the completion of an FDR in circumstances resulting in the detention of an individual (i.e., a temporary detention where a person is not free to leave), the completion of an FI card, or the contact escalates into an arrest. The completion of an FI on a victim or witness does not require the completion of an FDR.

D. Information Collected through the Field Data Report.

Information on the FDR is collected through a series of bubbles, which are shaded using a black or blue pen or a No. 2 pencil, as well as handwritten entries. Information, which is handwritten, shall be written neatly and legibly. Bubbles must be shaded thoroughly, with care taken not to exceed the parameters of the bubble.

Note: The use of correctable liquid or tape, slashes or dashes through sections that do not apply or any other type of errant marks on the form is prohibited.

- 1. Officer(s) Name and Serial Number.** Record the name of the officer completing the FDR and the partner officer followed by the shading of their serial number and the number of their geographic Area or division of assignment.

Note: Officer(s) on loan and/or working a task force at a division other than their assigned division, shall use their division of assignment on the FDR.

- 2. Incident Number.** Record the complete ten-digit incident number in the boxes provided. If there is

no incident number associated with the stop, then zeroes shall be recorded in the last four boxes.

3. **Driver.** If the FDR is for the driver of any motor vehicle, one of the "Yes/No" bubbles for "Did Driver Exit Vehicle?" and "Did You Ask Driver To Exit?" shall be shaded.

Note: This section does not apply to passengers exiting a vehicle.

4. **Passenger/Pedestrian.** If the subject of the FDR is not a driver, a selection of passenger or pedestrian shall be made.

5. **Apparent Descent.** Record the descent of the person stopped based on the officer's initial perception. If none of the five categories describes the apparent descent, officers shall shade "None of the Above" and write the apparent descent.

Note: If the officer discovers that a person's actual descent is different than the officer's initial perception, the initial perception of the person's descent shall be recorded.

6. **Initial Reason for Stop.** Shade only one initial reason for the stop. This reason should be the first perceived reason for a stop.

7. **Pat Down/Frisk Search.** Shade the appropriate bubble (yes/no) to indicate whether a pat down/frisk was conducted. A pat down/frisk is a cursory, not intrusive, search of a person's exterior garments.

Note: If during a pat down/frisk search an officer feels an object, if through training and experience, is believed to be contraband, and searches the detainees pockets and/or garment to retrieve that object, the search becomes a warrantless search incidental to a pat down/frisk search. In this case, the entire "Warrantless Searches" section must also be completed.

8. Warrantless Searches. This section refers only to those searches that extend beyond a pat down/frisk search of a person; however, the applicable sections below shall be completed regardless of the situation.

- * The appropriate bubble (yes/no) to the question "Was the Detainee Asked to Submit to a Search?" shall be shaded each time.
- * The appropriate bubble (yes/no) to the question "Did the Detainee Grant the Search?" shall be shaded if the detainee was asked to submit to a search.
- * The appropriate bubble (yes/no) to the question "Was a Search Conducted?" shall be shaded each time. If the answer to "Was a Search Conducted" is "No," then officers can skip the following questions and go to the "Action Taken" section. If the answer is "Yes," then officers shall continue and answer the following questions:
 - * **What Was the Authority for the Search?** Shade all bubbles that apply to the authority for the search. If "Other" is shaded, the specific search authority not listed shall be written.
 - * **What Was Searched?** Shade all bubbles that apply. "Container" includes items such as purses and backpacks. If "Other" is shaded, legibly write what was searched (e.g., residence, business, etc.).
 - * **Was Anything Discovered/Seized?** Shade the bubble either "Yes" or "No."
 - * **If Yes, What Was Discovered/Seized?** Shade all bubbles that apply.

9. Action Taken. Shade all bubbles that apply. If the "Arrest" bubble is shaded, officers shall indicate if a booking number was required and, if so, the booking number shall be written in the boxes provided.

The booking number shall be recorded on the FDR before the end of watch. However, if circumstances do not permit the recording of a booking number, then the FDR shall be turned in without it. The

officer completing the FDR shall on his/her next workday, obtain the booking number and record it on the goldenrod copy of the FDR in the FDR book. When the FDR with the missing booking number appears in the STOP Application for correction, the officer shall obtain the number from the goldenrod copy to correct the error.

If the "Citation" or "Release from Custody" bubble is shaded, officers shall legibly write the corresponding numbers in the boxes provided.

Note: Only one number shall be written in each box. The form contains more boxes than necessary, which allows for future expansion of numbers. Numbers shall be recorded starting from the left, leaving the last box on the right blank.

10. Other Required Information. Officers shall shade the appropriate bubbles for:

- * Gender;
- * Apparent Age;
- * Date;
- * Time of Stop; and,
- * Reporting District.

II. OFFICER'S RESPONSIBILITY. Officers shall complete an FDR for every person who meets the criteria established in this Order. Officers shall also provide the person stopped with an official Department business card in accordance with Department Manual Section 4/296.01. The business card shall include the date and time of the stop and the last four digits of the related incident number. A notation shall be made on the back of the business card that an FDR was completed relative to the stop.

A. Recording FDRs on Field Activity Logs. Officers shall record each stop, the number of persons contacted during the stop and the number of completed FDRs associated with the stop in the Daily Field Activity Report (DFAR), Form 18.31, or appropriate log used by specialized divisions to record field activities. Each stop and associated contact and FDR information shall be recorded separately on the log.

Note: Abbreviated notation "C-#" shall be used to record the number of persons contacted during the stop and "F-#" to record the number of FDRs completed. Example, a notation of "C-3/F-2" would indicate that three persons were contacted during the stop but only two met the criteria for completion of an FDR.

B. Recording FDRs on Arrest/Investigative Reports.

Officers who complete an FDR in association with an Arrest or Preliminary Investigation Report, shall include the FDR number on the face sheet of the report in the box designated "Connecting Reports."

C. Recording FDRs on Field Interview Reports. When an FI is completed on a person in association with a stop, which requires the completion of an FDR, the notation "FDR" and its reference number shall be written in the narrative portion of the FI.

D. Submitting FDRs for Supervisory Review. Completed FDRs shall be attached to the DFAR or other appropriate log and submitted at end of watch. In instances where a log is not completed, the FDRs shall be submitted daily to a supervisor designated by the commanding officer.

E. Voiding an FDR. Voided FDRs shall have "VOID" written in uppercase letters across both the original and goldenrod copy. The officer's initials, serial number, and the date shall be placed on the voided form. The original (white copy) of the voided FDR shall be attached to the DFAR or other appropriate log and submitted at the end of watch. The goldenrod copy shall remain in the FDR book.

Note: If a new FDR is completed, the FDR reference number of the new FDR shall be written on the back of the voided FDR, both white copy and goldenrod copy.

F. Correcting Errors. Officers shall check the STOP Application for errors on a daily basis. If errors are present, officers shall immediately make the necessary corrections.

G. Returning FDR Books. Completed FDR books shall be submitted to a supervisor for approval. When an officer transfers to another command, all FDR books in his/her possession shall be submitted to a supervisor in the command from which the books were obtained.

Note: Officers shall not share their assigned FDR books with other officers. The FDR books shall be issued, turned-in, and maintained only at the officer's permanent division of assignment. Officer(s) on loan to a division shall use an FDR book issued from their division of assignment.

III. SUPERVISOR'S RESPONSIBILITY. Supervisors reviewing completed FDRs shall:

- * Ensure each FDR is properly completed in accordance with this Order;
- * After reviewing the FDR, place his/her serial number in the space provided at the bottom of the form;

Note: Care shall be taken when writing the serial number to not exceed the provided space and interfere with bubbles above.

- * Check completed FDR books and account for the goldenrod copy of each completed FDR;
- * Forward reviewed FDRs and completed FDR books to the FDR Coordinator;
- * Ensure that officers check the STOP Application on a daily basis and make corrections immediately.

IV. WATCH COMMANDER'S RESPONSIBILITY. Watch Commanders are responsible for ensuring that all employees on their watch adhere to the provisions of this Order and shall:

- * Use the supervisor's reports in the STOP Application to monitor the most common mistakes and the time taken to correct them; and,

Note: The STOP Application manual contains instructions for accessing and printing the supervisor's reports.

- * Conduct accuracy audits for proper completion of FDRs by officers and the appropriate review by supervisors.

- V. FIELD DATA REPORT COORDINATOR - ESTABLISHED.** Each geographic Area and each specialized division shall have an employee designated as the Field Data Report Coordinator.

Note: Watch Commanders or Assistant Watch Commanders shall not be designated as FDR coordinators.

Field Data Report Coordinator's Responsibility. The Field Data Report Coordinator shall:

- * Issue FDR books to all officers;
- * Maintain an adequate supply of FDR books;
- * Prepare completed FDR books for records retention and storage per Department Manual Sections 2/460.04 and 5/050.08;
- * Maintain and update the Record of Field Data Report Books, Form 15.43.02;
- * Train new personnel in the proper completion of the FDR form and use of the STOP Application;
- * Update the FDR book database in the STOP Application by entering the book numbers when books are issued, completed and returned or when reissued;

Note: If any FDRs in the returned books are unused, the number of unused FDRs shall be recorded on the front cover of the book, in brackets, next to the "Supervisor Approving" line, prior to reissue.

- * Record the FDR book number of each FDR book received from the Department of General Services, Distribution Center;

Note: Attached for your reference is an unofficial Department form to record the FDR book number of each FDR book received from the Department of General Services, Distribution Center.

- * Conduct random audits to ensure that FDRs are being properly completed;
- * Count and batch approved FDRs with a cover sheet available in the STOP Application;

Note: Care shall be taken that the FDRs are counted correctly when making a batch. There is no minimum

number required to make a batch; however, a batch cannot exceed 75 FDRs.

- * Forward FDR batches daily, via interoffice mail, to:

Information Technology Division (ITD)
Attn: Data Entry Section, Field Data Reports
207 S. Broadway, Room 300
Los Angeles, CA 90012
Mail Stop 447

Note: When the FDR Coordinator is on regular days off, the batches can be forwarded to ITD upon his/her return. If the absence is in excess of five days, the Commanding Officer shall appoint another employee to perform the Coordinator's duties.

VI. COMMANDING OFFICER'S RESPONSIBILITY. Commanding Officers are responsible for ensuring that all employees in their command adhere to the provisions of this Order and shall:

- * Appoint an employee as the Area or division FDR Coordinator;
- * Ensure each officer under his/her command is issued an FDR book;
- * Establish appropriate controls for the issuance, maintenance and storage of FDR books; and,
- * Retain completed FDR books in accordance with the Department's Records Retention Program.

VII. INFORMATION TECHNOLOGY DIVISION'S RESPONSIBILITY. Information Technology Division shall:

- * Send out batches of FDRs to an outside source for scanning;
- * Track and reconcile the FDRs sent out and those received from the outside source; and,
- * Process and maintain FDR data in an appropriate electronic database.

FORM AVAILABILITY: The Field Data Report, Form 15.43.01 will be distributed to all operational commands prior to July 1, 2003. The new forms will take effect July 1, 2003; all operational commands shall start use of the revised FDR on July 1, 2003. A white book cover distinguishes the revised FDR book. A blue book cover distinguishes the outdated FDR books. A directive

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will follow this Order with instructions for handling of the obsolete FDR books. After the initial distribution, the reports will be available for ordering from the Department of General Services, Distribution Center. A copy of the revised form is attached for reference.

AMENDMENTS: This Order amends Sections 3/213, 4/202.02, 4/296.01, and 5/15.43.01 of the Department Manual.

AUDIT RESPONSIBLITIY: The Commanding Officer, Civil Rights Integrity Division, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

Attachments

Distribution "D"